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Attorney Docket No. C2013-7138

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David S. Peacock, Jr. et al.  
Serial No.: 10/661,830  
Filed: September 12, 2003  
For: DISPENSING SYSTEM AND METHOD  
Examiner: Not Yet Assigned  
Art Unit: 3652  
Confirmation No.: 7710

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 22nd day of July, 2004.

Keith F. Noe  
Keith F. Noe, Esq. (Reg. No. 34,686)

MAIL STOP AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Transmitted herewith are the following documents in connection with the above-identified patent application:

- [X] Information Disclosure Statement (3 pgs.);
- [X] PTO Form 1449 (in duplicate - 1 pg.); and
- [X] Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 395-7000.

The Commissioner is hereby authorized to charge any deficiencies or overpayment to Deposit Account No. 50/2762, Ref. No. C2013-7138. A duplicate copy of this transmittal is enclosed.

Respectfully submitted,

Keith F. Noe

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Attorney for Applicants

Dated: July 22, 2004  
746452.1



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*Keith F. Noe*  
\_\_\_\_\_  
Keith F. Noe, Esq. (Reg. No. 34,686)

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**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

**PART II: Information Cited**

The Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant(s): David S. Peacock, Jr. et al.  
U.S.S.N.: 10/661,830

The applicants would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
09/928,112	08/10/2001	Thomas C. Prentice et al.
09/974,022	10/10/2001	Steven P. Bibeault et al.

### PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Applicant(s): David S. Peacock, Jr. et al.  
U.S.S.N.: 10/661,830

Notwithstanding any statements by the Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

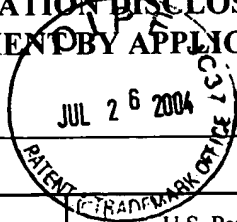
An early and favorable action is hereby requested.

Respectfully submitted,

By: Keith F. Noe  
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Attorney for Applicants

Dated: July 22, 2004  
Attorney Docket No.: C2013-7138

FORM PTO-1449/A and B (Modified)  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	APPLICATION NO.: 10/661,830	ATTY. DOCKET NO.: C2013-7138
	FILING DATE: September 12, 2003	CONFIRMATION NO.: 7710
	APPLICANTS: David S. Peacock, Jr. et al.	
	GROUP ART UNIT: 3652	EXAMINER: Not Yet Assigned



## U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	6,007,631		Prentice et al.	12/28/1999
	A2	6,093,251		Carr et al.	07/25/2000
	A3	6,395,334	B1	Prentice et al.	05/28/2002
	A4	6,541,063	B1	Prentice et al.	04/01/2003
	A5				
	A6				
	A7				
	A8				
	A9				
	A10				
	A11				
	A12				
	A13				
	A14				
	A15				

## FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B1						
	B2						

## OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	C1			
	C2			
EXAMINER			DATE CONSIDERED	

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]